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# Board of Supervisors Agenda

Chairman

**Bob Waterston**

5th District

Vice Chairman

**Juan Arambula**

3rd District

**Vacant**

1st District

**Bart Bohn**

County Admin. Officer

**Susan B. Anderson**

2nd District

**Phillip S. Cronin**

County Counsel

**Judith G. Case**

4th District

**Bernice E. Seidel**

Clerk

**TUESDAY**

**NOVEMBER 26, 2002**

**9:00 A.M.**

## **PLEDGE OF ALLEGIANCE**

1. Presentation of Retirement Plaque to Rick Heyman - Public Works Road Maintenance & Operation Division - 36 Years of Service

### **Supervisor Anderson**

2. Recognize the Probation Department's success in developing juvenile delinquency prevention programs

### **Administrative Office**

3. Recognize the National Future Farmers of America Organization, Firebaugh High School Chapter for being selected as a two-star winner at the 75<sup>th</sup> National FFA Convention recently held in Louisville, Kentucky

### **4. Morning Consent Agenda – Item Numbers 23-58**

(These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)

- Items to be removed from Consent for Discussion
- Approval of Morning Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

The Tuesday Board of Supervisors meeting is broadcast live on  
Radio KFCF•FM 88.1 9:00 A.M. until Noon and 2:00 P.M. until 6:00 P.M.

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### **Administrative Office**

5. Consider and direct staff regarding funding for the Fresno Council on Child Abuse Prevention's Multidisciplinary Interview Center by the Sheriff's Department (\$14,346) and Department of Children and Family Services (\$5,000) to provide forensic interviews for child victims of sexual abuse
6. Approve recommended amendments to the 2002-03 County adopted budget associated with funding reductions included in the 2002-03 adopted State Budget:
  - a. Adopt resolution decreasing appropriations and estimated revenues for FY 2002-03 for the Department of Child Support Services Budget Unit 5110 (\$792,623) based on final 2002-03 funding allocation
  - b. Adopt resolution decreasing FY 2002-03 appropriations and estimated revenues for the Department of Employment and Temporary Assistance Budget 5610 (\$3,429,016);
    - Adopt Salary Resolution Amendments, Appendix E, deleting 11 vacant positions
    - Approve and authorize the Director of Employment and Temporary Assistance to terminate five CalWORKs Employment Services Agreements with Community Based organizations, effective January 1, 2003, as detailed in Attachment B on file with Clerk to the Board;
    - Approve and authorize the Director of Employment and Temporary Assistance to reduce five CalWORKs Employment Services agreements with community based organizations, effective January 1, 2003, as detailed in Attachment C on file with Clerk to the Board;
  - c. Adopt resolution decreasing appropriations and estimated revenues for FY 2002-03 for the District Attorney - Welfare Fraud/Child Abduction/Special Remedies/Training Budget 2863 (\$341,125) related to the Welfare Fraud Unit; and approve salary resolution amendments, Appendix D, deleting four vacant positions from the Welfare Fraud Budget 2863;  
 Adopt resolution decreasing FY 2002-03 appropriations for the District Attorney Budget 2860 and estimated revenues for the District Attorney - Welfare Fraud/Child Abduction/Special Remedies/Training Budget 2863 (\$470,000) related to the Child Abduction Unit funding shortfall, and direct staff to return with appropriate salary resolution amendments to delete positions in the District Attorney budget(s)
7. Consider and designate a 2.71-acre site south of Belmont Avenue and east of Derrick Avenue within the City of Mendota as a potential future site of a new Fresno County Mendota Branch Library, and authorize Fresno County Librarian to proceed with actions necessary to allow possible future consideration of site acquisition

8. Receive Conceptual Design Report for the Fowler Library Project and authorize continuation of the project's development in accordance with the Library Building Program
9. Approve changes to the Human Services Funding Process and FY 2003-04 Funding Guidelines and Eligibility Criteria
10. Consider and direct staff regarding parking in the Courthouse garage
11. **Sitting as IHSS Public Authority Governing Board:**  
Appointment of IHSS Public Authority Executive Director
12. **Board of Supervisors' Committee Reports** – Receive and provide direction (This item reserved for committee reports by members of the Board of Supervisors)
13. **Board Appointments:** (List attached in packet and posted on bulletin board outside of Board Chambers)
14. **Closed Session –**
  - a. Pending Litigation Section 54956.9(b)- Ford, et al. v County of Fresno, et al.
  - b. Conference with legal counsel – Existing Litigation Government Code Section 54956.9(a) City of Fresno v County of Fresno; Fresno Local Agency Formation Commission; City of Clovis,; and does 1 through 50, inclusive Fresno county Superior Court Case No. 01 CE CG 03337
  - c. Conference with legal counsel – Initiation of Litigation Government Code section 54956. 9(c)
  - d. Public Employee Performance Evaluation Government code section 54954.5(e) Title: County Counsel

**NOON RECESS**

**2:00 P.M.****15. Afternoon Consent Agenda – Item Numbers 59-71**

(These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)

Items to be removed from Consent for Discussion

Approval of afternoon Consent Agenda

Discussion/Action on Items removed from Consent Agenda

16. Consider and adopt resolution authorizing partial cancellation of Agricultural Land Conservation Contract No. 5472 based on five findings required by Land Conservation Act of 1965
17. Consider and adopt resolution authorizing cancellation of Agricultural Land Conservation Contract Nos. 473 and 474 based on five findings required by Land Conservation Act of 1965
18. Conduct hearing to adopt resolution approving existing fees and budgets relating to Waterworks District No. 38 and Maintenance District No. 1 and direct staff to include fees on Master Schedule of Fees, Charges and Recovered Costs for administrative purposes
19. Adopt resolution approving sale of County-owned excess property on San Jose Avenue east of Maroa Avenue and authorizing Chairman to execute a grant deed and other related documents to successful bidder
20. Consider and take action on appeal by Michael Delsid, applicant, of Planning Commission's technical denial of Variance Application No. 3737 proposing to allow creation of a 2.66-acre parcel and a 2.50-acre parcel from a 5.16-acre parcel of land in AE-20 District, located on north side of W. McKenzie Avenue between N. Hayes and N. Polk Avenues approximately  $\frac{3}{4}$  miles south of nearest city limits of City of Fresno
21. Consider and take action on appeal by JCM Farming , applicant, of Planning Commission's technical denial of Initial Study Application No. 4808 and Variance Application No. 3726 proposing to allow creation of two 4.88-acre parcels with public road frontage from a 9.76-acre parcel of land in RR-5 District, located south of E. Herndon Avenue between N. Bethel and N. Academy Avenue, approximately 5.5 miles east of City of Clovis
22. **Public Presentations** – (This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda – Pursuant to Administrative Policy No. 29, presentations are limited to five minutes per person and no more than 15 minutes per topic

**ADJOURN****NEXT MEETINGS:**

December 10, 2002 - 9:00 A.M. Board Meeting

December 17, 2002 - 9:00 A.M. Board Meeting

**MORNING CONSENT AGENDA – Item Numbers 23-58**

(Any Board Member may pull any consent item for discussion or separate vote)

**Supervisor Waterston**

23. Adopt resolution implementing Government Code Section 31641.04 for the Assistant Director of General Services position

**Administrative Office**

24. Adopt resolution honoring and recognizing Gary Soto, Poet, Essayist, Playwright and Novelist

**Assessor**

25. Approve and authorize the Chairman to execute retroactive agreement with California Assessor's Association and Harold W. Bertholf, Inc., for participation in the multi-county sales study (\$3,600)

**County Counsel**

26. Approve and authorize the Chairman to execute the Settlement and Release Agreement with Bennett & Sharpe and Silver, Hadden & Silver (Bennett and Silver), Fresno Superior Court Case No. 02 CE CG 0035, Bennett and Silver v. County of Fresno et al; and approve and authorize the Treasurer to execute payments of \$22,500 to Bennett and Silver each (\$45,000)

**District Attorney**

27. Approve and authorize the Clerk to execute Budget Transfer No. 23 (\$15,521.41) to transfer prior year appropriations from former District Attorney Budget 2864 to 2863 new District Attorney Budget Special Remedies, Training and Administration

**Sheriff**

28. Adopt resolution increasing FY 2002-03 operating plan for Fleet Services Equipment Fund 8911 (\$13,900) for the purchase of radios (4/5 vote)
29. Adopt resolution increasing appropriations and estimated revenues for Sheriff-Grants Org. 3112 (\$5,378) or the purchase of automation equipment and licenses (4/5 vote)
30. Adopt resolution increasing appropriation and estimated revenues for Sheriff-Grants Budget for the purchase of automation equipment 3112 (\$6,100) (4/5 vote)
31. Approve the sole source purchase of a microscope for the Sheriff Department's Crime Lab, and adopt resolution increasing appropriations and estimated revenues for Sheriff-Grants Org. 311225000 (\$140,454) for the purchase of equipment and a vehicle (4/5 vote)

32. Approve and authorize Chairman to execute a retroactive agreement with the Housing Authority of Fresno County for law enforcement services in the Communities of Laton, Del Rey, Orange Cove, Mendota, and San Joaquin (\$129,127); and approve Salary Resolution Amendments, Appendix C, deleting one Deputy Sheriff position and two Community Service Officer positions from Sheriff-Grant Org. 3112 effective November 24, 2002

### **Administrative Office**

33. Approve Salary Range/Band Adjustments for Unrepresented and Management Classifications
34. **Salary Resolution Amendments** (Copy of amendments attached in Supervisors Agenda Packet, on file with the Clerk to the Board, and posted on the bulletin board outside the Board Chambers)
35. Call special election to fill vacancy created by term expiration of Michael Thobe as Safety Member Representative on the Board of Retirement
36. Approve amendments to the Conflict of Interest Code
37. Approve waiver of the 120-hour Annual Leave usage requirements for the 2002 payroll year
38. Adopt Board of Supervisors Administrative Policy No. 49 – County Information Technology and Telecommunications Security and authorize Chief Information Office to receive fingerprint/criminal history information to determine suitability of employment
39. Adopt resolution requesting that the San Joaquin Valley Air Pollution Control District recognize the agriculture crop production industry as an effective mitigation strategy that should be recognized for its beneficial effect in cleaning the air
40. Adopt resolution authorizing submission of up to five years of annual grant applications to the California Integrated Wasted Management Board for the Waste Tire Enforcement Grant, and authorize the Director of Community Health to execute all necessary grant related documents
41. Approve payment to CyraCom International for outstanding telephone charges that exceeded the maximum contracted amount for the 180-day Interpreters Services Pilot Project (\$10,167.38)
42. Approve and authorize Chairman to execute the 2002-03 County Subvention Program “Certificate of Compliance” and “Medi-Cal Certificate of Compliance” agreements (\$60,000)
43. Adopt resolutions increasing FY 2002-03 appropriations and estimated revenues for Cooperative Extension Budget 7610 (\$15,200) and operating plan for Fleet Services Internal Services Fund 8911 (\$15,200) (4/5 vote)

44. Adopt resolution increasing FY 2002-03 Human Services System Youth Pilot Program Budget 5650 appropriations and estimated revenues for funding of Neighborhood Resource Center services (\$311,054) (4/5 vote)

**Agreements – Approve and Authorize Chairman to Execute:**

45. Agreement with the State of California Department of Food and Agriculture for the pink bollworm cotton plowdown and host-free period monitoring program (\$20,934.90)
46. Agreement with the State of California Department of Food and Agriculture for the high risk pest exclusion program (\$120,143)
47. Agreement with ABM Janitorial Services, Inc. for janitorial services at the Brix/Mercer Complex (\$81,480)
48. Amendment to revenue Master Agreement with the State Department of Health Services, Office of AIDS (\$4,221,879); approve and authorize the Director, Department of Community Health, to execute the new and subsequent Memoranda of Understanding and related Amendments between Fresno County and the State Department of Health Services, Office of AIDS; and approve Salary Resolution Amendment, Appendix F, deleting one position
49. Retroactive revenue agreement with the State Department of Health Services, Center for Health Statistics, Office of Vital Records for implementation of an optional procedure for processing death certificates (\$5,654)
50. Renewal agreement with Panagraph, Inc., to continue the Babies First marketing campaign (\$358,580)
51. Retroactive revenue agreement with the State Department of Health Services, Tuberculosis Control Branch for Tuberculosis Control Local Assistance Funds (\$363,377)
52. Renewal lease agreement with Scott Ellis Enterprise for 20,450 square feet of office space and 28,050 square feet of warehouse space located within a single building at 2600 Ventura (Human Services Administration) for a primary term of four years (\$1,440,163)
53. Retroactive revenue agreement with the California State Library to administer the Federal Library Services and Technology Act Public Library Staff Education Program grant funds awarded to three Fresno County Library employee scholarship recipients (\$8,195); and adopt resolution increasing the FY 2002-03 Library Grants Org. 75120247 appropriations and estimated revenues (\$7,450) to establish funding for scholarships awarded to three Library employees to pursue a course of study leading to the attainment of a Masters Degree in Library Science (4/5 vote)
54. Retroactive agreement with the Central Valley YMCA (\$60,000) to operate the Supervised Children's Room in the Fresno County Plaza
55. Agreement with the Central Unified School District to fund 50% of the services of one Deputy Probation Officer (\$41,382)



56. Agreement with Fresno Unified School District to fully fund the services of one Deputy Probation Officer for the period of December 9, 2002 through June 30, 2004 (\$164,518); adopt resolution increasing the FY 2002-03 appropriations and estimated revenues of the Probation Org. 34300565 (\$61,865) (4/5 vote); adopt resolutions increasing FY 2002-03 Information Technology Service Department ISF Org. 8908 by \$7,683 and Org. 8905 by \$1,584 for automation equipment and software, Communications ISF Org. 8931 by \$200, for the purchase of one cellular telephone, Fleet Services ISF Org. 8911 by \$1,150 for the purchase of one hand-held radio; and adopt Salary Resolution Amendment adding one Deputy Probation Officer IV position
57. Approve and authorize Clerk to execute Budget Transfer #27 (\$6,057,956) to reallocate FY 2002-03 appropriations from Information Technology Services Department ISF Org. 89050074 to equipment Org. 8908, to finance CalWIN computer hardware; approve and authorize the Clerk to execute Budget Transfer #28 (\$27,458) to reallocate appropriations from FY 2001-01 Information Technology Services Department equipment Org. 8908, to FY 2000-01 Org. 89050074, to purchase Food Stamp Reinvestment program software; approve and authorize the Clerk to execute Budget Transfer #29 (\$27,458) to reallocate appropriations within the FY 2000-01 Department of Employment and Temporary Assistance Org. 56107001 to purchase Food Stamp Reinvestment computer software; and adopt resolution increasing the FY 2002-03 Information Technology Services Department Internal Service Fund appropriations and estimated revenues for Org. 8905 (\$49,020) and Org. 8908 (\$12,500) to purchase computer equipment and software for the In-Home Supportive Services Public Authority (4/5 vote)
58. Approve and authorize Clerk to execute Budget Transfer No. 30 (\$26,185) for the Department of Children and Family Services to reallocate existing appropriations for operational costs associated with the Family Oriented Care and Assessment Services emergency shelter

**AFTERNOON CONSENT AGENDA – ITEM NUMBERS 59-71**

(Any Board Member may pull any consent item for discussion or separate vote)

59. Adopt resolution approving proposed Mitigated Negative Declaration for Raisin City Water Distribution System Construction Project, in accordance with provisions of California Environmental Quality Act
60. Accept on behalf of public Grant Deed from Headliner Development Company, Inc., a California Corporation, and Spaulding G. and Della Wathen conveying Outlot A and Access Easements to Outlots A and B of Tract No. 4835 within County Service Area No. 10, Zone A
61. Award Contract No. 02-02-C, Crescent Ditch Bridge Replacement on Howard Avenue – 0.26 miles north of Mt Whitney, Federal Highway Bridge Replacement and Rehabilitation Program, Federal Project No. BRLO-5942(106), to low bidder, Bates Construction (\$323,461)
62. Approve and authorize additional compensation for settlements for Academy Avenue Eminent Domain cases as follows: In County v. J-Tex, a partnership, sum of \$900 and in County v. J. M. Telford, Jr. (\$17,295)
63. Accept a Grant Deed and approve a Real Estate Purchase Agreement with Maria L. Alanis for right-of-way acquisition for Academy Avenue, State Highway 180 to Shaw Avenue, for a monetary consideration of \$90,000
64. Accept an easement deed and approve a right-of-way contract with Velma J. Charles, Robert J. Stump II and Sandra D. Stump for right-of-way acquisition for Academy Avenue, State Highway 180 to Shaw Avenue, for a monetary consideration of \$1,100
65. Adopt recommended actions for Tract No. 5024, Wildflower Village Phase III, east side of State Route 168, approximately two miles south of unincorporated community of Shaver Lake
66. Adopt Resolution of Intention and set time of 2:00 p.m. on December 17, 2002, as time to conduct a hearing for proposed vacation of alley in Block 1 of Town of Covell Subdivision in unincorporated community of Easton, Vacation Application No. V02-02
67. Approve substitution of Quality Lube Systems in place of Lubrication Systems Integrated as lubrication systems installing subcontractor for Contract No. 02-S-04, Maintenance and Office Facility at American Avenue Disposal Site

**Agreements – Approve and Authorize Chairman to Execute;**

68. Agreement with California State Department of Transportation (Program Supplement Number 034-M1) to administer Agency-State Master Agreement for Federal Aid No. 06-5942 for Crescent Ditch Bridge project on Howard Avenue
69. Agreement for railroad crossing protection at Jefferson Avenue (PUC# 109BAO-186.8) and James Street (PUC# 109BAO-187.10) crossings of Union Pacific railroad line (STPLT-5942(121))
70. Amendment to Agreement No. 06R057 with State California Department of Transportation increasing funding currently allocated to Clovis Avenue Grade Separation project from \$3,629,600 to \$5,000,000, an increase of \$1,370,400
71. Agreement with ValleyGeo to prepare State-required groundwater monitoring reports for American Avenue, Coalinga, Southeast Regional and Mendota Disposal sites effective upon execution through November 26, 2003 (\$46,320)

**END OF CONSENT**